

REMARKS

Claims 10-12, 20-22 and 33-34 are pending. Claim 10 is the sole independent claim. New dependent claim 34 has been added.

Applicant notes with appreciation the withdrawal of the prior novelty and obviousness rejections.

The Examiner now rejects claims 10-12, 20 and 33 as obvious over Harvey U.S. Patent 5,686,360 in view of Ito U.S. Patent 5,652,067.

The Examiner admits that the primary reference Harvey does not disclose SiO as a material for the second layer but instead uses silicon dioxide.

The Examiner has argued that it would have been obvious to have modified the device of Figs. 4-5, column 5, lines 55-66 of Harvey so as to arrive at the subject matter of claim 10 by replacing a silicon dioxide layer 26 of Harvey with a layer of silicon monoxide on the basis of the teaching of Ito at column 19, lines 30-38 that silicon monoxide is another example of a material having "excellent gas barrier properties and water vapor barrier properties" for forming a sealing layer to prevent oxidation of a cathode. However, the silicon dioxide layer 26 of Harvey is described as a thermal coefficient layer:

"Buffer layer 24 is covered or coated with a thermal coefficient matching layer 26, which is a second layer in the buffer system. ... Silicon dioxide (SiO₂) is utilized as thermal coefficient matching layer 26...." (column 5, lines 53-60)

It would not have been obvious to have replaced the layer 26 of silicon dioxide with a layer of silicon monoxide in the absence of any teaching that silicon monoxide would also function equally well or better as a thermal coefficient matching layer. There is no such teaching in either Harvey or Ito. Therefore, Applicant believes the Examiner

has engaged in an improper use of hindsight to suggest that it would have been obvious to have replaced layer 26 of Harvey with a layer of silicon monoxide.

Thus, Applicant respectfully requests withdrawal of the obviousness rejection based on Harvey and Ito.

The Examiner rejected claims 21-22 as obvious over the combination of Harvey and Ito as applied to claim 10, and further in view of Hung U.S. Patent 5,776,622.

For the reasons stated above, Harvey and Ito fail to teach the use of silicon monoxide as a replacement for layer 26 of Harvey. Therefore, Applicant respectfully requests withdrawal of the obviousness rejection of claims 21-22. The third reference Hung is not cited as teaching this replacement.

Applicant further submits new claim 34 which specifies that the silicon monoxide layer is directly adjacent the outermost electrode layer. The device of Figs. 4-5, column 5, lines 55-66 of Harvey includes a buffer layer 24 of tris(8-quinolinolato) aluminum (Alq) or the like between the outermost electrode layer and the silicon dioxide layer 26. Accordingly, Applicant's new claim 34 recites a further distinction over the device of Figs. 4-5, column 5, lines 55-66 of Harvey.

Reconsideration and allowance of the pending claims is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: *August 9, 2004*

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